

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Benco

TITLE : A METHOD AND APPARATUS FOR
PROVIDING MOBILE-TO-MOBILE
VIDEO CAPABILITY TO A
NETWORK

APPLICATION NO. : 10/698,783

FILED : October 31, 2003

CONFIRMATION NO. : 1742

EXAMINER : Dean, Raymond S.

ART UNIT : 2618

LAST OFFICE ACTION : October 12, 2010

ATTORNEY DOCKET NO. : LUTZ 200250US01
Case Name/No. Benco 39

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

☒ Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the last decision of the Examiner mailed **October 12, 2010** finally rejecting claims 1-5 and 7-23.

☐ Applicant(s) hereby request(s) reinstatement of the previously filed appeal, mailed pursuant to 37 C.F.R. § 41.31 and appeal(s) from the last decision of the Examiner mailed .

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

- ☒ This application is on behalf of a large entity.
- ☐ Applicant(s) claim(s) small entity status. See 37 C.F.R. §1.27. Therefore, the fee is reduced by half, and the resulting fee is listed below.

2. **EXTENSION OF TERM**

- ☒ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. §1.136(a) for a two-month extension of time up to and including March 14, 2011 in which to file this Notice of Appeal. Payment for the filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card via EFS-Web. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

3. **FEES ASSOCIATED WITH FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

- | | |
|---|--------------------------------------|
| <input checked="" type="checkbox"/> Large entity: | \$540 |
| <input type="checkbox"/> Small entity: | \$270 |
| <input type="checkbox"/> Amount previously paid: | \$0 (if reinstating previous appeal) |
| Total Notice of Appeal fee: | \$540 |

4. **TOTAL FEES DUE**

Total notice of appeal fee: \$540
Extension of time fee: \$490
TOTAL AMOUNT DUE: \$1030

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

Respectfully submitted,

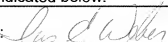
Fay Sharpe LLP

March 14, 2011
Date


Joseph D. Dreher, Reg. No. 37,123
The Halle Building, 5th Floor
1228 Euclid Avenue
Cleveland, Ohio 44115-1843
216.363.9000

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.

	Signature: 
Date: March 14, 2011	Name: Iris E. Weber